

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHIJOKE ISAMADE,

Plaintiff,

v.

PARKER-WRIGHT, et al.,

Defendants.

No. 2:22-cv-0358 AC P

ORDER

Plaintiff is a state prisoner proceeding pro se. By order filed March 19, 2025, defendants were directed to contact the litigation coordinator where plaintiff is incarcerated within thirty days and make arrangements for plaintiff to view the video evidence relied on by their motion for summary judgment. ECF No. 42. They were to notify the court within fourteen days of plaintiff viewing the video that he had had an opportunity to review it, and plaintiff was granted twenty-one days from viewing the video to file a sur-reply to defendants' motion for summary judgment. Id. Plaintiff has now filed a notice stating that defendants have violated the order because it has been more than thirty days, and he has not yet been permitted to view the video evidence. ECF No. 43.

The March 19, 2025 order did not require that plaintiff view the video within thirty days, only that defendants contact the litigation coordinator and make the necessary arrangements for plaintiff to view the video. Though plaintiff would ideally have been able to view the video

1 within that time, it was not required, and plaintiff indicates that defendants' counsel has been in
2 contact with the litigation coordinator to make arrangements for plaintiff to view the video.
3 Although it appears defendants are in compliance with the court's order, they will be required to
4 update the court on the status of plaintiff's viewing arrangements.


5 Plaintiff's notice also states that he would like to amend the complaint to add three
6 defendants and dismiss two defendants after summary judgment is ruled on. ECF No. 43 at 4. If
7 plaintiff would like to amend the complaint, he must file a motion to amend that is accompanied
8 by a copy of the proposed amended complaint. Furthermore, if plaintiff seeks to amend the
9 complaint he should seek to do so as soon as possible rather than waiting until resolution of the
10 motion for summary judgment, and the court will accordingly set a deadline for the filing of a
11 motion to amend. The court takes no position at this time on whether plaintiff will be permitted
12 to amend the complaint.

13 Accordingly, IT IS HEREBY ORDERED that:

14 1. Within fourteen days of the service of this order, defendants shall file a status report
15 regarding their efforts to arrange for plaintiff to review the video evidence; and

16 2. Plaintiff shall have thirty days from the service of this order to file any motion to
17 amend the complaint. The motion must be accompanied by a proposed amended complaint.

18 DATED: May 1, 2025

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20 ALLISON CLAIRE
21 UNITED STATES MAGISTRATE JUDGE
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